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Technology Solutions U.S. Corp. and Cognizant
Technology Solutions Services, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

VICTORIA BOND, an individual,

Plaintiff,

vs.

COGNIZANT TECHNOLOGY SOLUTIONS
U.S. CORPORATION, a Delaware
Corporation; COGNIZANT TECHNOLOGY
SOLUTIONS SERVICES, LLC, an Arizona
Limited Liability Company; DOES I through X,
and ROE BUSINESS ENTITIES DOES I
through X, inclusive.

Defendants.

Case No. 2:15-cv-02064-JCM-CWH

**DEFENDANTS COGNIZANT
TECHNOLOGY SOLUTIONS U.S.
CORPORATION AND COGNIZANT
TECHNOLOGY SOLUTIONS
SERVICES, LLC’S REQUEST
REGARDING ATTENDANCE AT
EARLY NEUTRAL EVALUATION
SESSION AND [PROPOSED] ORDER**

In compliance with the Court’s October 27, 2015 Order Scheduling Early Neutral
Evaluation Session (ECF No. 6), Defendants Cognizant Technology Solutions U.S. Corporation
 (“Cognizant U.S.”) and Cognizant Technology Solutions Services, LLC (“Cognizant LLC”)

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(collectively, “Defendants”), by and through their counsel, hereby request that the Court excuse their insurance carrier from having to attend in person the January 8, 2016 Early Neutral Evaluation Session (“ENE”), based on the following:

1. Defendants are subject to coverage by their insurance carrier only after reaching a retainer amount which Defendants anticipate exceeds any likely settlement amount in this case;

2. In addition to the fact that the controlling policy has a high self-insured retention (“SIR”), it bears note that Plaintiff resigned her employment at such time as she already had obtained alternative employment. While Defendants do not have the specifics yet of that new job, it will assuredly reduce significantly any potential claim for back and/or front pay. Either way, however, Defendants do not anticipate any settlement that would require it to exceed its SIR;

3. Until Defendants exceed their SIR, their insurance carrier will not have any authority over settlement in this case;

4. Defendants will have a representative with binding authority to settle this matter present in person for the entirety of the ENE;

5. A representative of Defendants’ insurance carrier will be available for the entirety of the ENE by telephone if for any reason she would need to be reached; and

6. Defendants have timely filed this request more than two weeks prior to the January 8, 2016 ENE.

DATED this 22nd day of December, 2015.

FOX ROTHSCHILD LLP

/s/ Mark J. Connot

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Solutions Services, LLC

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2 After considering the statements presented in Defendants' Request Regarding Attendance
3 at Neutral Evaluation Session, and good cause appearing therefore, IT IS HEREBY ORDERED
4 that Defendants' insurance carrier is not required to attend the January 8, 2016 ENE in this
5 matter.

6 **IT IS SO ORDERED.**

7 Dated: December 28, 2015
8 _____, ~~2016~~



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

11 Defendant's insurance carrier representative must be reachable by phone for the entire
12 duration of the ENE conference.
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CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of FOX ROTHSCHILD, LLP, I am over the age of eighteen years, and not a party to the within action. My business address is 3800 Howard Hughes Parkway, Suite 500, Las Vegas, NV 89169. On December 22, 2015, I served **DEFENDANTS COGNIZANT TECHNOLOGY SOLUTIONS U.S. CORPORATION AND COGNIZANT TECHNOLOGY SOLUTIONS SERVICES, LLC'S REQUEST REGARDING ATTENDANCE AT EARLY NEUTRAL EVALUATION SESSION AND [PROPOSED] ORDER** as follows:

- ☒ By CM/ECF Filing – with the United States District Court of Nevada. I electronically filed with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the attorney(s) and/or party(ies) listed below.
- ☐ By Facsimile Transmission at or about _____ on that date. The transmission was reported as complete and without error. A copy of the transmission report, properly issued by the transmitting machine, is attached. The names and facsimile numbers of the persons) served as set forth below.
- ☐ By placing a true copy of the document(s) listed above for collection and mailing following the firm's ordinary business practice in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Las Vegas, NV, addressed as set forth below.

to the attorney(s) and/or party(ies) listed below at the address and/or facsimile number indicated below:

James P. Kemp, Esq.
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/s/ Jacqueline Magee
An employee of FOX ROTHSCHILD

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